

From: [Mike Murray](#)  
To: [Jason Rylander](#)  
Cc: [derbc@selcnc.org](mailto:derbc@selcnc.org); [Robert Fisher](#); [Ona Ferguson](#); [Patrick Field](#); [GOLDER, Walker](#); [mike.stevens@sol.doi.gov](mailto:mike.stevens@sol.doi.gov); [jason.waanders@sol.doi.gov](mailto:jason.waanders@sol.doi.gov); [Sandra Hamilton](#)  
Bcc: [Cyndy Holda](#)  
Subject: Re: Submissions to the Final Report  
Date: 04/02/2009 10:32 AM

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Jason,

I appreciate receiving your comments and share some of your concerns. I've checked with the Solicitors and have been advised that while most of the pages in the addendum in question appear non-substantive, redundant, and unnecessary, the Groundrules and the Negotiated Rulemaking Act do not appear to limit members in what they submit. The Groundrules provided that "any Committee member may include as an addendum to the report additional information, recommendations, or materials." That language comes straight from the Negotiated Rulemaking Act. Since these comments were submitted through a Committee member (the WSIA), in accordance with the Groundrules as written, it appears there would have been little either the facilitators or the NPS could have done to exclude them.

Mike Murray  
Superintendent  
Cape Hatteras NS/ Wright Brothers NMem/ Ft. Raleigh NHS  
(w) 252-473-2111, ext. 148  
(c) 252-216-5520  
fax 252-473-2595

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▼ [Jason Rylander <JRYLANDER@defenders.org>](mailto:Jason.Rylander@defenders.org)

**Jason Rylander**  
<[JRYLANDER@defenders.org](mailto:JRYLANDER@defenders.org)>

04/01/2009 01:40 PM

To: Patrick Field <[pfield@cbuilding.org](mailto:pfield@cbuilding.org)>, Robert Fisher <[IMCEAEX\\_O=MI8\\_OU=NY01\\_CN=RECIPIENTS\\_CN=PARTNERS\\_CN=MI8\\_CN=FISHERCS\\_CN=RCF@DOW-ADS.NET](mailto:IMCEAEX_O=MI8_OU=NY01_CN=RECIPIENTS_CN=PARTNERS_CN=MI8_CN=FISHERCS_CN=RCF@DOW-ADS.NET)>, "Mike\_Murray@nps.gov" <[Mike\\_Murray@nps.gov](mailto:Mike_Murray@nps.gov)>  
cc: "derbc@selcnc.org" <[derbc@selcnc.org](mailto:derbc@selcnc.org)>, "GOLDER, Walker" <[WGOLDER@audubon.org](mailto:WGOLDER@audubon.org)>, Ona Ferguson <[oferguson@cbuilding.org](mailto:oferguson@cbuilding.org)>  
Subject: Submissions to the Final Report

Gentlemen,

I am flabbergasted, and frankly not a little outraged, by the decision to include in the final report of the Negotiated Rulemaking Committee more than 1400 pages of largely non-substantive listserve-generated petition signatures from the Water Sports Industry Association. That is not in keeping with what the final report was intended to do, and it aids the Committee and the Park Service not one whit.

Stakeholders were encouraged to submit substantive recommendations in lieu of a consensus report on behalf of themselves and their organizations. This was not an opportunity for grassroots lobbying. There will be ample time for public comment during the NEPA process. The Water Sports industry's comments could have been submitted then or now to the Park Service in some other form.

They are not and should not be part of the Negotiated Rulemaking Committee's final report.

I assure you Defenders of Wildlife and other stakeholders could have generated many thousands more pages of such petition responses had we wished to engage in such conduct. It never occurred to me, because to do so is completely not in keeping with the work we were trying to do or my understanding of the purpose of the final report.

Sincerely,

Jason Rylander

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Staff Attorney

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1130 17th Street N.W. Washington D.C. 20036-4604

**Tel:** (202) 682-9400 x145 | **Fax:** (202) 682-1331

[jrylander@defenders.org](mailto:jrylander@defenders.org) | [www.defenders.org](http://www.defenders.org)

**Mobile:** (202) 486-8650



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